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November 21, 2012

VIA EMAIL AND FACSIMILE TRANSMISSION

Honorable James C. Francis
United States Magistrate Judge
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

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Re: *Martin Fleisher, et al. v. Phoenix Life Insurance Co.*, 11 Civ. 8405 (CM) (JCF)

Dear Judge Francis:

Please be advised that with regard to the discovery motions filed by plaintiffs' counsel earlier this week, counsel for the parties and for non-party Towers Watson have agreed that oppositions shall be filed on or before December 5, 2012, and replies shall be filed on or before December 12, 2012. We would appreciate Your Honor advising us if this schedule is approved, or of any alternative schedule that may be set. Thank you for your assistance in this matter. May you and your staff have a Happy Thanksgiving holiday. //

Respectfully submitted,

Waldemar J. Pflepsen Jr.

Waldemar J. Pflepsen, Jr.
Counsel for Defendant
PHL Variable Insurance Company

cc: All Counsel of Record (via electronic mail)

11/21/12
This schedule is adopted.

SO ORDERED.

Jorden Burt LLP
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James C. Francis IV
USMJ